



PATENT APPLICATION  
Attorney's Do. No. 8514-58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ned HOFFMAN

Serial No.: 09/639,948

Group No.: 3621

Filed: August 17, 2000

Examiner: Firmin Backer

For: SYSTEM AND METHOD FOR TOKENLESS BIOMETRIC  
AUTHORIZATION  
OF ELECTRONIC COMMUNICATIONS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed November 10, 2003, finally rejecting claims 1-67. The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

other than a small entity  
 small entity. Verified statement  already filed on August 17, 2000.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

small entity \$165.00

**Notice of Appeal fee due \$165.00**

**3. EXTENSION OF TERM**

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time

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in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is : \$165.00

Notice of Appeal fee \$ 165.00

**TOTAL FEE DUE** \$ 165.00

## **5. FEE PAYMENT**

- Attached is PTO form 2038 authorizing credit card usage in the amount of \$165.00
- Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Arielle Person

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 ON: *10 Sept 2004*